

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

WALTER CLARK,

Plaintiff,

v.

STATE OF NEVADA, *et al.*,

Defendants.

Case No. 2:22-cv-01260-APG-EJY

ORDER

This action commenced when Plaintiff filed his 42 U.S.C. Civil Rights Complaint on August 5, 2022. ECF No. 1-1. On September 10, 2022, the Court imposed a stay of the case and ordered the parties to mediate with a court-appointed mediator. ECF Nos. 5, 8. A resolution was not reached. ECF No. 12. On February 27, 2023, Plaintiff paid the full filing fee for this matter. ECF No. 14.

For the foregoing reasons, **IT IS HEREBY ORDERED** that:

1. The Clerk of the Court will electronically **SERVE** a copy of this Order, the Screening Order (ECF No. 5), and a copy of Plaintiff's Complaint (ECF No. 6) on the Office of the Attorney General of the State of Nevada by adding the Attorney General of the State of Nevada to the docket sheet. This does not indicate acceptance of service.

2. Subject to the findings of the Screening Order (ECF No. 5), within 21 days of the date of entry of this Order, the Attorney General's Office must file a notice advising the Court and Plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the names of the defendants for whom it does not accept service, and (c) the names of the defendants for whom it is filing the last-known-address information under seal. As to any of the named defendants for whom the Attorney General's Office cannot accept service, the Attorney General's Office must file, under seal, but will not serve the inmate Plaintiff the last known address(es) of those defendant(s) for whom it has such information. If the last known address of the defendant(s) is a

1 post office box, the Attorney General's Office must attempt to obtain and provide the last known
2 physical address(es).

3 3. If service cannot be accepted for any of the named defendant(s), Plaintiff must file
4 a motion identifying the unserved defendant(s), requesting issuance of a summons, and specifying
5 a full name and address for the defendant(s). For the defendant(s) the Attorney General's Office
6 cannot provide last-known-address information, Plaintiff must provide the full name and address,
7 if known, for the defendant(s).

8 4. If the Attorney General's Office accepts service of process for any named
9 defendant(s), such defendant(s) must file and serve an answer or other response to the Complaint
10 (ECF No. 6) within 60 days from the date of this Order.

11 5. Service of the operative complaint on defendants must be accomplished within 90
12 days of the date of this Order.

13 6. Plaintiff must serve upon defendant(s) or, if an appearance has been entered by
14 counsel, upon their attorney(s), a copy of every pleading, motion or other document submitted for
15 consideration by the Court. Plaintiff must include with the original document submitted for filing
16 a certificate stating the date that a true and correct copy of the document was mailed or
17 electronically filed to the defendants or counsel for the defendants. If counsel has entered a notice
18 of appearance, Plaintiff must direct service to the individual attorney named in the notice of
19 appearance, at the physical or electronic address stated therein. The Court may disregard any
20 document received by a district judge or magistrate judge that has not been filed with the Clerk,
21 and any document received by a district judge, magistrate judge, or the Clerk that fails to include
22 a certificate showing proper service.

23 7. This case is no longer stayed.

24 DATED this 28th day of February, 2023.

25 
26 ELAYNA J. YOUCHAK
27 UNITED STATES MAGISTRATE JUDGE
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